

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENZYME CORPORATION and
SANOFI-AVENTIS U.S. LLC,

Plaintiffs,

v.

FRESENIUS KABI USA LLC,

Defendant.

Civ. Action No. 18-01934 KAJ

CONSENT JUDGMENT

Plaintiffs, Genzyme Corporation and sanofi-aventis U.S. LLC, brought the present action asserting infringement of at least claims 8 and 19 of U.S. Patent No. 7,897,590 and claim 8 of U.S. Patent No. 6,987,102 against Defendant Fresenius Kabi USA, LLC. As part of the final settlement of the above action, the Parties have agreed to a negotiated settlement pursuant to the terms and conditions of a Settlement Agreement (“Settlement Agreement”) and have agreed and consented to the entry of this Consent Judgment in order to terminate the above caption litigation as follows:

IT IS the ____ day of _____ 2019:

ORDERED, ADJUDGED and DECREED as follows:

1. The District Court has jurisdiction over the subject matter of the above action and has personal jurisdiction over the parties.
2. Unless otherwise specifically authorized pursuant to the Settlement Agreement, Defendant, including any of its Affiliates, successors or assigns, is hereby enjoined from making,

having made, using, selling, offering to sell and/or importing in or into the United States any product under ANDA No. 212395.

3. Compliance with this Consent Judgment may be enforced by Plaintiffs, their successors or assigns as permitted by the terms of the Settlement Agreement.

4. The District Court retains jurisdiction to enforce or supervise performance under this Consent Judgment and the Settlement Agreement.

5. All claims asserted in this Action are dismissed with prejudice.

6. Each party shall bear its own costs and attorneys' fees with respect to the matters dismissed hereby.

7. The parties each expressly waive any right to appeal from this Consent Judgment.

8. This Consent Judgment shall finally resolve the Action between the parties and the case is closed.

RATNERPRESTIA

PHILLIPS, GOLDMAN, McLAUGHLIN & HALL,
P.A.

/s/ Jeffery B. Bove

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Dated: March 1, 2019

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Attorneys for Defendant

The Clerk of the Court is directed to enter this Consent Judgment forthwith.

SO ORDERED:

This ____ day of _____, 2019.

UNITED STATES JUDGE